

**BARBERO
DECLARATION**

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

ALLIANCE FOR OPEN SOCIETY
INTERNATIONAL, INC. and OPEN SOCIETY
INSTITUTE,

Plaintiffs,

DECLARATION OF
ROSANNA BARBERO

-against-

UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT *et al.*,

Defendants.

I, ROSANNA BARBERO, hereby declare as follows:

1. I am the Director of Womyn's Agenda for Change, a non-governmental organization ("NGO") headquartered in Phnom Penh, Cambodia.
2. I submit this declaration in support of the plaintiffs' motion for a preliminary injunction.
3. Womyn's Agenda for Change studies the effects of globalization and poverty on people in Cambodia. We advocate for groups especially affected by these phenomena, especially sex workers and garment industry workers.
4. Sex work is increasingly common in Cambodia. Most women who become sex workers face severe poverty and a lack of other ways to earn money to feed themselves and their families.
5. Sex workers in Cambodia face a host of serious problems and dangers, including: sexual violence and rape, theft, discrimination (often violent), lack of access to health care, a lack of support for preventing or living with HIV/AIDS, poverty and pressure to join drug

trials. In the past, sex workers also had faced severe harassment by police; however, this harassment has decreased significantly as a result of sensitization programs that sex worker organizations have done in conjunction with the police.

6. Womyn's Agenda for Change helps sex workers to organize and advocate for their needs and rights. This includes helping form a sex workers' union, Women's Network for Unity, which now includes 5,000 members. In collaboration with the sex workers' union, Womyn's Agenda for Change works to help sex workers protect themselves from violence by clients. Womyn's Agenda for Change also helps sex workers reach out to health officials to ensure that health care is available to sex workers. Womyn's Agenda for Change also assists the sex workers union to contribute to policy discussions that affect their lives.

7. Womyn's Agenda for Change funds its work through grants from Oxfam Hong Kong, Oxfam Great Britain, and Oxfam Novib, based in the Netherlands.

8. Starting in 2001, Womyn's Agenda for Change received about \$93,000 in United States Agency for International Development ("USAID") funding as a subcontractor to the U.S.-based group, Family Health International. Those funds supported our work through 2003 on a program designed to empower sex workers so that they could participate in HIV prevention efforts. Part of the project entailed establishing an independent sex worker organization. Our belief was that sex workers could only effectively participate in HIV prevention if they were organized and so had some power to negotiate the usage of condoms with their clients.

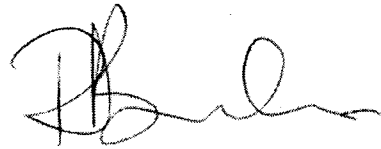
9. In 2004, we ceased receiving USAID funding through Family Health International. It had been expected that we would enter into a new agreement with Family Health International in 2004. However, I learned that if we wished to continue receiving the

USAID funds, we would have to change our approach to sex work and adopt a policy explicitly opposing prostitution. I consulted with the sex workers union and told them that if we agreed to take USAID money, we would no longer be able to do empowerment work with them. The union told me not to continue taking the funds, even though the loss of money would mean cutting back on some of the work Womyn's Agenda for Change did with the union. I followed their advice, and informed Family Health International that we could no longer accept USAID funding.

10. Had we adopted a policy opposing prostitution, it would have applied to our entire organization and all of our activities, even when those activities were funded by donors other than the United States government. Had we changed our beliefs and policies we would not have been able to continue working with poor, vulnerable women in the sex workers union. Without support from my organization, the union would have been stymied in its efforts to go to hospitals to talk to medical staff about the needs of sex workers, to spread HIV prevention messages on television, to support and care for their fellow sex workers who are ailing and dying from HIV, and to advocate for policy changes regarding the treatment of sex workers by the police.

11. As a result of our decision to forego USAID funding, we had to downscale our efforts considerably. Without the funding, we are hampered in our ability to reach sex workers in thirteen provinces around the country. As a result of the anti-prostitution requirement's application to other local NGOs that receive USAID funds, we also have been hampered in our ability to associate with other NGOs to conduct outreach in the provinces. I believe a lot of women have undergone suffering and violence, and have become infected with HIV as result of us not having access to the advocacy of the sex workers union.

I declare, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



ROSANNA BARBERO

PHNOM PENH, CAMBODIA

DATED this 19 day of ~~August~~, 2005
September